

HARRY C. BATCHELDER, JR.
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April 19, 2016

Hon. Allyne R. Ross
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Martin v. Giordano
Docket No.: 11CV4507(ARR)(JO)

Your Honor:

I respectfully advise that I did not intend to file the earlier letter briefing under seal. Indeed in the drop down list, I initially selected "Motion to Seal" but a later screen contained the following warning "**If this motion is asking to seal a document not yet filed, do not continue with this event. Select the event Motion for Leave to Electronically File Document under Seal**".

I followed those directions which apparently resulted in the letter brief itself being presumptively sealed, a result that I did not in any way intend. I apologize for my inaptitude in this regard.

Respectfully,

s/Harry C. Batchelder, Jr.